



# TOWN OF NANTUCKET BOARD OF APPEALS NANTUCKET, MA 02554

Minutes  
Friday, December 14, 2007  
1:00 PM  
2 Fairgrounds Road  
Conference Room

**Board Members in attendance:** Michael O'Mara, David Wiley, Dale Waine, Burr Tupper, Lisa Botticelli, Nancy Sevens and Edward Toole.

**Staff:** John Brescher, Leslie Woodson Snell, Venessa Moore

I. Call to Order:

**Chairman Michael O'Mara called the meeting to order at 1:00 P.M.**

II. Approval of the Minutes:

**A motion was made to approve the Minutes (October 19, 2007 and November 1, 2007), duly seconded and voted 5-0.**

III. Old Business

- |   |               |                               |   |              |
|---|---------------|-------------------------------|---|--------------|
| ▪ | <b>085-06</b> | <b>Reis</b>                   | <b>80 Miacomet Ave</b>  | <b>Reade</b> |
|   |               |                               | Action Deadline March 28, 2008; Continued to February 8, 2008.    |              |
| ▪ | <b>030-07</b> | <b>Burnham</b>                | <b>12 ½ Sherburne Turnpike</b>                                    | <b>Reade</b> |
|   |               |                               | Action Deadline March 28, 2008; Continued to February 8, 2008.    |              |
| ▪ | <b>087-07</b> | <b>Barrett</b>                | <b>21 Somerset Road</b>   | <b>Cohen</b> |
|   |               |                               | Action Deadline April 10, 2008; Continued to January 11, 2008.    |              |
| ▪ | <b>098-07</b> | <b>DAW Nominee Trust</b>      | <b>16 Baxter Road</b>   | <b>Reade</b> |
|   |               |                               | Action Deadline February 15, 2008; Continued to January 11, 2008. |              |
| ▪ | <b>054-07</b> | <b>Nantucket Hunt. Assoc.</b> | <b>Madequesham Valley Road</b>                                    | <b>Zieff</b> |
|   |               |                               | Action Deadline February 29, 2008.                                |              |

**Attorney Allison Zieff explained to the board that the primary concern of the Hunting Association was safety. Therefore, the applicants have been attempting to minimize the inherently dangerous nature of the activity. Stephen Holdgate, president of the Hunting Association, contended that shooting was a lifestyle and that the range would be for the good of the community.**

**Attorney Speischer represented the concerned citizens of Wigwam Road and argued that a shooting range is not considered a "recreational purpose" under the Zoning Bylaw. The contentious issue for the residents of Wigwam Road is the level of noise coming from the**

gunshots. Attorney Speischer suggested more information be given to the board regarding the sound of gunfire and the plans associated with the structure.

There were comments both in favor and against the Hunting Association from the audience. Some members believed that a Hunting Association would have a positive impact on the neighborhood. Others considered the noise of gunshots to be a nuisance.

Dave Wiley requested additional information including a sound recording, DEP report, site plans, and proposed a site visit.

A motion was made to continue (Waine) and duly seconded to continue the application to the January 11, 2008 meeting.

#### IV. New Business

- **104-07 Eldridge 44 Sankaty Ave Glidden**  
Action Deadline March 8, 2008.

Attorney Richard Glidden argued that a variance would be appropriate, even though it would be a division of an already undersized lot. The Board was not persuaded and considered it a dangerous precedent to divide an undersized lot.

A motion was made (Waine) and duly seconded to approve the application and voted 1-4 in favor (Severens, O'Mara, Tupper, and Toole opposed).

- **105-07 Marttila and Russell 48 Meadow View Drive Weinman**  
Action Deadline March 13, 2008.

Attorney Rhoda Weinman explained to the Board that the deck had previously been constructed no closer than nine (9) feet into the setback. The applicants are not encroaching further into the setback or are seeking any renovations – they are only looking to validate the pre-existing nonconformity.

A motion was made (Waine) and duly seconded to approve the application and voted 5-0 in favor.

- **Modification of Driveways in Abrem Quarry**
  - **McInerney – Lot 22, Sasesmin Way:** The applicant did not appear before the board but requested, via application, to add an additional driveway space in her yard. The board thought that adding a third parking space, when there were already two existing spaces, would create a dangerous precedent and result in the lack of green space in the subdivision. Therefore, a motion was made (Tupper) and duly seconded and voted 0-5 to approve the modification.
  - **Towne – 5B, Field Avenue:** The applicant sought to reposition his driveway from having two stacked spaces to having two side by side along Field Avenue. A motion was made (Tupper) and duly seconded to approve the modification and voted 5-0 in favor.
  - **Pittman – 4 Sasemin Way:** The applicant sought to reposition his driveway from having two stacked spaces to having two side by side along Sasemin Way. A motion was made (Waine) and duly seconded to approve the modification and voted 5-0 in favor.
  - **MacDonald – 1 Kinikinnik Way:** The applicant sought to relocate their stacked driveway to the other side of their home where the entryway door is located. Burr Tupper suggested the applicants use the same materials when relocating the driveway. A motion was made (Tupper) and duly seconded to approve the modification and voted 5-0 in favor.

V. Other Business

▪ **Discussion of Old Minutes:**

Staff informed the board that there have not been minutes submitted to the Town Clerk since the 1970's and that rather than attempting to reconstruct minutes of historic meetings, Staff is proposing to file with the Town Clerk any minutes that are on file in the office. These minutes will be considered "drafts" and will be filed with the Town Clerk as such. A motion was made (Waine) and duly seconded to approve the filing of draft minutes and voted 5-0 in favor.

VII. Adjournment:

**A motion was made (O'Mara) and duly seconded to adjourn the meeting at 5:30 P.M.**